BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

---- In the Matter of ----

PUBLIC UTILITIES COMMISSION

Instituting a Proceeding to)
Investigate the Implementation)
Of Feed-in Tariffs.)

DOCKET NO. 2008-0273

ORDER APPROVING INDEPENDENT OBSERVER CONTRACT

ZOID JAN 28 A II: 16

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of	
PUBLIC UTILITIES COMMISSION	
Instituting a Proceeding to Investigate the Implementation	

Of Feed-in Tariffs.

Docket No. 2008-0273

ORDER APPROVING INDEPENDENT OBSERVER CONTRACT

By this Order, the commission approves the Feed-in Tariff Third Party Services Agreement between Hawaiian Electric Company, Inc. ("HECO") and Accion Group - Harold T. Judd, filed on December 7, 2009, as amended ("Contract"), to oversee the queuing process for feed-in tariff projects, as described in the Decision and Order, filed on September 25, 2009.

¹Letter dated and filed January 26, 2010, from HECO to the commission (enclosing a revised Attachment A (Scope of Work) to the Agreement).

²As noted by Hawaii Renewable Energy Alliance and Blue Planet Foundation in their respective comments filed on December 14, 2009, HECO failed to include any information in its December 7, 2009 filing describing its selection criteria and specifics on the scope of work; particularly as it pertains to website design. The scope of work was subsequently revised, as indicated in HECO's January 26, 2010 filing. Given the compressed schedule for the remainder of the proceedings, the commission will approve the Contract, but expects HECO, in the future, to provide sufficient justification to support such requests.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Commission Counsel

2008-0273.sl

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

DEAN NISHINA
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

DEAN MATSUURA
MANAGER
REGULATORY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840-0001

MARK J. BENNETT, ESQ.
DEBORAH DAY EMERSON, ESQ.
GREGG J. KINKLEY, ESQ.
DEPARTMENT OF THE ATTORNEY GENERAL
425 Queen Street
Honolulu, HI 96813

Counsel for DBEDT

CARRIE K.S. OKINAGA, ESQ.
GORDON D. NELSON, ESQ.
DEPARTMENT OF THE CORPORATION COUNSEL
CITY AND COUNTY OF HONOLULU
530 S. King Street Room 110
Honolulu, HI 96813

Counsel for the CITY AND COUNTY OF HONOLULU

LINCOLN S.T. ASHIDA, ESQ.
WILLIAM V. BRILHANTE, JR., ESQ.
MICHAEL J. UDOVIC, ESQ.
DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF HAWAII
101 Aupuni Street, Suite 325
Hilo, HI 96720

Counsel for the COUNTY OF HAWAII

<u>Certificate</u> of <u>Service</u> Page 2

HENRY Q CURTIS
KAT BRADY
LIFE OF THE LAND
76 North King Street, Suite 203
Honolulu, HI 96817

CARL FREEDMAN
HAIKU DESIGN & ANALYSIS
4234 Hana Hwy.
Haiku, HI 96708

WARREN S. BOLLMEIER II
PRESIDENT
HAWAII RENEWABLE ENERGY ALLIANCE
46-040 Konane Place, #3816
Kaneohe, HI 96744

DOUGLAS A. CODIGA, ESQ. SCHLACK ITO LOCKWOOD PIPER & ELKIND Topa Financial Center 745 Fort Street, Suite 1500 Honolulu, HI 96813

Counsel for BLUE PLANET FOUNDATION

MARK DUDA
PRESIDENT
HAWAII SOLAR ENERGY ASSOCIATION
P. O. Box 37070
Honolulu, HI 96837

RILEY SAITO THE SOLAR ALLIANCE 73-1294 Awakea Street Kailua-Kona, HI 96740

JOEL K. MATSUNAGA HAWAII BIOENERGY, LLC 737 Bishop Street, Suite 1860 Pacific Guardian Center, Mauka Tower Honolulu, Hawaii 96813

<u>Certificate</u> of <u>Service</u> Page 3

DANIEL A. KING SEMPRA GENERATION 101 Ash Street, HQ 12 San Diego, CA 92101-3017

KENT D. MORIHARA, ESQ. KRIS N. NAKAGAWA, ESQ. SANDRA L. WILHIDE, ESQ. MORIHARA LAU & FONG LLP 841 Bishop Street, Suite 400 Honolulu, HI 96813

Counsel for MAUI LAND & PINEAPPLE COMPANY, INC.

ERIK W. KVAM
CHIEF EXECUTIVE OFFICER
ZERO EMISSIONS LEASING LLC
2800 Woodlawn Drive, Suite 131
Honolulu, HI 96822

PAMELA ANN JOE SOPOGY INC. 2660 Waiwai Loop Honolulu, HI 96819

GERALD A. SUMIDA, ESQ. TIM LUI-KWAN, ESQ. NATHAN C. NELSON, ESQ. CARLSMITH BALL LLP ASB Tower, Suite 2200 1001 Bishop Street Honolulu, HI 96813

Counsel for HAWAII HOLDINGS, LLC, dba FIRST WIND HAWAII

CHRIS MENTZEL
CHIEF EXECUTIVE OFFICER
CLEAN ENERGY MAUI LLC
619 Kupulau Dr.
Kihei, HI 96753

<u>Certificate</u> of <u>Service</u> Page 4

HARLAN Y. KIMURA, ESQ. Central Pacific Plaza 220 South King Street, Suite 1660 Honolulu, HI 96813

Counsel for TAWHIRI POWER LLC

SANDRA-ANN Y.H. WONG, ESQ. ATTORNEY AT LAW, A LAW CORPORATION 1050 Bishop Street, #514 Honolulu, HI 96813

Counsel for ALEXANDER & BALDWIN, INC. through its division, HAWAIIAN COMMERCIAL & SUGAR COMPANY